

DEC 23 2004

22048824-2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:	Steve Hole	Art Unit:	2144
Serial No.:	09/765,927	Examiner:	Brown, James Lee
Filed:	January 19, 2001	Date:	December 23, 2004
For:	Message Tracking System and Method		

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

REPLY

Sir:

This reply is filed to respond to the Office Action dated June 25, 2004, the time for responding having been extended for three months until December 25, 2004 (Saturday). Please reconsider the application in view of this the remarks set forth below.

Amendments to the specification begin on page 2.

Remarks begin on page 3.

Attached are a declaration under 37 C.F.R. §1.131 and an accompanying exhibit.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Group Art Unit 1753 at (703) 872-9306 on December 23, 2004.



Amelia Finker

NYCD:MS/4336/4.1

BAKER & MCKENZIE

RECEIVED
CENTRAL FAX CENTER

DEC 23 2004

Facsimile Transmission

Baker & McKenzie LLP
805 Third Avenue
New York, NY 10022, USA

Tel: +1 212 751 5700
Fax: +1 212 759 9133
www.bakermc.com

Date	December 23, 2004	Phone	Fax
To	Examiner James Lee Brown, GAU 2144, USPTO		703-872-9306
From	Frank M. Gasparo	+1 212 891 3942	+1 212 310 1642
Client/Matter No.	22048824-2		
Re	Application no 09/765,927		
Pages (w/cover)	15		

Please see the attached.

Privacy And Confidentiality Notice

The information contained in this facsimile is intended for the named recipients only. It may contain privileged and confidential information and if you are not an intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this facsimile in error, please notify us immediately by a collect telephone call to Office Services at +1 212 751 5700 x 4048 and return the original to the sender by mail. We will reimburse you for the postage.

Baker & McKenzie LLP is a member of Baker & McKenzie International, a Swiss Verein.

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

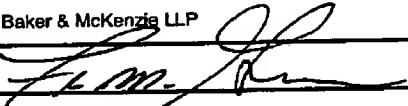
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/765,927
Filing Date	1/19/2001
First Named Inventor	Steve Hole
Art Unit	2144
Examiner Name	Brown, James Lee
Attorney Docket Number	22048824-2

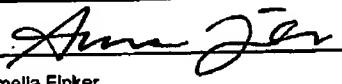
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Remarks This correspondence is being facsimile transmitted to the USPTO to 703-872-9306 on December 23, 2004.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Baker & McKenzie LLP 		
Signature			
Printed name	Frank M. Gasparo, Esq.		
Date	12/23/2004	Reg. No.	44,700

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Amelia Flinker
Date	12/23/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.